

MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES, AND PARKS
MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES, AND PARKS

Title 40: Wildlife, Fisheries, and Parks

Part 2: Wildlife

Part 2, Chapter 8: Regulations regarding animals in captivity and enclosures.

RULE 8.5 DECOMMISSION OF ENCLOSURES CONTAINING WHITE-TAILED DEER.

A. Enclosures and/or permitted facilities preventing the free ingress and egress of wild animals, may, by fully complying with the terms, conditions, and provisions of this rule, release captive white-tailed deer into the wild in the State of Mississippi, without being in violation of 40 MISS. ADMIN. CODE, Part 2, Rule 8.2.D.6.

B. Before an enclosure may be decommissioned, the enclosure owner must submit a decommission application to the MDWFP. After receipt of the application, the enclosure owner will be contacted by an employee of the MDWFP, designated by the Executive Director, to begin the process.

C. For the purpose of this rule, a decommissioned enclosure may have the gates completely removed, all or part of the fence completely removed, or the fence lowered to a height of six and one half (6 1/2) feet or less, so as to allow the ingress and egress of wild animals.

D. If enclosures contain exotic, non-native animals, as defined in MISS. CODE ANN. §75-33-3, the enclosures must be depopulated of those exotic animals, and the depopulation must be verified by the MDWFP, prior to decommissioning, or the fence must remain intact. MISS. CODE ANN. §49-7-80 prohibits the release of exotics into the wild.

E. If an enclosure requesting to be decommissioned contains feral hogs, and the facility has prevented, and continues to prevent, the free ingress and/or egress of those feral hogs, the facility must be depopulated of the entire feral hog population, or the fence must remain intact, at a minimum height of four (4) feet, to prevent the movement of feral hogs onto adjacent properties.

F. All costs associated with the decommissioning process shall be borne by the facility owner.

G. Methods for decommissioning high-fenced enclosures containing white-tailed deer:

1. The Facility owner must conduct a camera survey in January/February, or September/October of the year in which decommissioning has been requested, to determine the

number of white-tailed deer within the enclosure. An approved camera survey protocol will be supplied by the MDWFP upon request. The survey must be reviewed by an MDWFP biologist. If deer are released from breeding pens after the camera survey is conducted, the number of deer released will be added to the population estimate.

2. If the owner requests MDWFP assistance in depopulating the enclosure, then MDWFP will have all deer lethally removed, by or in conjunction with MDWFP, tested for Chronic Wasting Disease (CWD), Bovine Tuberculosis, and Bovine Brucellosis at an established statistical sampling rate to detect disease. A table of these rates will be provided upon request.

3. If the white-tailed deer population within the enclosure is depopulated by the owner or his/her designated agent(s), the disease testing requirements must be met as described in subparagraphs 4., and 5., below.

4. Facilities with no breeder pens:

Fifteen percent (15%) of the white-tailed deer population within the enclosure must be tested for CWD before the enclosure can be decommissioned. The number of white-tailed deer required to be sampled for CWD must be tested within a three (3) year period beginning at the time that the camera survey was conducted as described in subparagraph G.1., above. If the enclosure has been participating in the MDWFP CWD program, valid CWD samples collected and tested for the five (5) consecutive years prior to the decommission request will count toward the total samples needed.

5. Facilities with breeder pens:

If breeding pens are present, white-tailed deer in the breeding pens may be:

- a. Euthanized. All euthanized deer must be tested for CWD.
- b. Transferred to another permitted high-fenced enclosure if the originating high-fenced enclosure is participating in a CWD monitoring program.
- c. Released into the enclosure if there is no suspicion of illegal importation of white-tailed deer into the breeder pens or the enclosure. Proof of origin for breeder deer must be provided to MDWFP by the enclosure owner.
- d. After release into the enclosure, 25% of the white-tailed deer population within the enclosure must be tested for CWD before the enclosure can be decommissioned. The number of white-tailed deer required to be sampled for CWD must be tested within a three (3) year period beginning at the time that the camera survey was conducted as described in subparagraph G.1., above. Of the 25% required for testing, 10% must have been tested within the previous year. If the enclosure has been participating in the MDWFP CWD program, valid CWD samples collected and tested for the five (5) consecutive years prior to the decommission request will count toward the total samples needed.

History: Promulgated March 2015.

Source: MISS. CODE ANN. §§49-1-29, 49-4-4, 49-7-58, 49-7-58.1, 49-7-58.2, 49-7-58.3, and 49-7-58.4.